

UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARK Washington, D.C. 20231

INTERVIEW SUMMARY All participants (applicant, applicant's representative, PTO personnel): INTERVIEW SUMMARY All participants (applicant, applicant's representative, PTO personnel): INTERVIEW SUMMARY All participants (applicant, applicant's representative, PTO personnel): (1) JUSTIN FISCHEY (3) (2) Edward Freedman (4) Date of Interview 9 1 04 Type: Tolophonic Televideo Conference Dersonal (copy is given to applicant Despicant's representative). Exhibit shown or demonstration conducted: Yes No If yes, brief description: Proposed amendment Agreement Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Was converted to To applicant's representative that the concept of having a "fastr" and "slower" doffer roller is separate from the specific structure of the apparatus. As such, it is requested to fast the apparatus. As such, it is requested to fast the apparatus. As such, it is requested to fast the apparatus. As such, it is requested to fast the apparatus. As such, it is requested to fast the apparatus. As such, it is requested to fast the apparatus. As such, it is requested to provide a separation provide a separation of the substance of the interview. In the substance of the substance of the interview. See the representative of figure to get substance of the interview. Shot waved been fleed, applicant to provide a special reproduct of the substance of the interview. Shot waved been fleed, applicant to provide a special reproductive of figure to get substance of the interview. Examiner Note: You must sign this form unless it is an attachment to another form. To distinguish over the all the substance of the control of figure to get applicant to provide a special provider of figure to get applicant to the control of the control of figure to get applicant to the control of the control of figure to get applicant to the control of the control of figure to get applicant to the control of the control of figure to get a	APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
Tischer, J.	10/083,879	2/27/02	Schmidt	<u> </u>
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Manual of Patent Examining Procedure, Section 713.04 Substance of Interview must Be Made of Record

A complete written statement as to the substance of any face-to-face or telephone interview with regard to an application must be made of record in the application, whether or not an agreement with the examiner was reached at the interview.

§1.133 Interviews

(b) In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for response to Office action as specified in 1.111,1-135. (35 U.S.C.132)

§ 1.2. Business to be transacted in writing. All business with the Patent or Trademark Office, should be transacted in writing. The personal attendance applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusive on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreemen forubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the fail to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicate or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question patentability.

Examiners must complete a two-sheet carbon interleaf Interview Summary Form for each interview held after January 1, 1978 where a matter of substance been discussed during the interview by checking the appropriate boxes and filling in the blanks in neat handwritten form using a ball point pen. Discussions regard only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Pateumining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedules.

The Interview Summary Form shall be given an appropriate paper number, placed in the right hand portion of the file, and listed on the "Contents" list on the wrapper. The docket and serial register cards need not be updated to reflect interviews. In a personal interview, the duplicate copy of the Form is removed and gi to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephonic interview, the copy is mailed to the applicant's corresponde address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstandictate, the Form should be mailed promptly after the telephonic interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Serial Number of the application
- -Name of applicant
- Name of examiner
- Date of interview
- Type of Interview (personal or telephonic)
- -Name of participant(s)) (applicant, attorney or agent, etc.)
- -An indication whether or not an exhibit was shown or a demonstration conducted
- -An identification of the claims discussed
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). (Agreements as to allowability are tentative and do not restrict further action by the examiner to the contrary.)
- -The signature of the examiner who conducted the interview
- -Names of other Patent and Trademark Office personnel present.

The Form also contains a statement reminding the applicant of his responsibility to record the substance of the interview.

It is desireable that the examiner orally remind the applicant of his obligation to record the substance of the interview in each case unless both applicant examiner agree that the examiner will record same. Where the examiner agrees to record the substance of the interview, or when it is adequately recorded or Form or in an attachment to the Form, the examiner should check a box at the bottom of the Form informing the applicant that he need not supplement the For submitting a separate record of the substance of the interview.

It should be noted, however, that the interview Summary Form witl not normally be considered a complete and proper recordation of the interview unless it includes the supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview:

- A complete and proper recordation of the substance of any interview should include at least the following applicable items:
- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summar Form completed by the examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner. The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he feels were or might be persuasive to the examiner.
- 6) a general indication of any other pertinent matters discussed, and
- 7) If appropriate, the general results or outcome of the interview unless already described in the Interview Stimmary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete or accurate, the examiner will give applicant one month from the date of the notifying letter or the remainder of any period for response, whichever is longer, to complete the response and thereby abandonment of the application (37-CFR 1.135(c)).

Examiner to Check for Accuracy

Applicant's summary of what took place at the interview should be carefully checked to determine the accuracy of any argument or statement attributed examiner during the interview. If there is an inaccuracy and it bears directly on the question of patentability, it should be pointed out in the next Office letter. claims are allowable for other reasons of record, the examiner should send a letter setting forth his or her version of the statement attributed to him. If the recomplete and accurate, the examiner should place the indication "interview record OK" on the paper recording the substance of the interview along with the dat the examiner's initials.